



STATE OF WASHINGTON

OFFICE OF FINANCIAL MANAGEMENT

Insurance Building, PO Box 43113 • Olympia, Washington 98504-3113 • (360) 902-0555

June 12, 2003

TO: Chief Ronal W. Serpas
FROM: Marty Brown, Director
SUBJECT: Washington State Patrol Reported Incident (03-26) Does Not Merit Review

Pursuant to RCW 43.41.370 and the Guidelines For Reporting Incidents to the Office of Financial Management (OFM), the Washington State Patrol (WSP) submitted an Incident Report to OFM. The Report notified OFM that on January 4, 2003, a trooper was involved in a pursuit of a vehicle that failed to stop at a red light. The pursuit ended about two tenths of a mile later when the vehicle ran a stop sign and hit a pick-up truck. The incident resulted in multiple serious injuries and the death of the driver of the subject vehicle. The WSP reported that it was conducting an internal investigation of the pursuit.

The Governor signed into law Substitute Senate Bill 5165. The intent of the law is to improve the safety of law enforcement officers and the public in matters of vehicle pursuits. To that end, SSB 5165 requires a select group of people, including the WSP, Washington Association of Sheriffs and Police Chiefs, Criminal Justice Training Commission and representatives of state and local law enforcement officers, to develop a written model policy on vehicle pursuits by December 1, 2003. The bill further sets forth requirements in regards to training all law enforcement officers on the policy.

RCW 43.41.370(1) requires the Director of OFM to appoint a loss prevention review team when the death of a person, serious injury to a person, or other substantial loss is alleged or suspected to be caused at least in part by the actions of a state agency unless the Director, in his or her discretion, determines that the incident "does not merit review". Applying the criteria for loss prevention reviews, issued November 18, 2002, I have determined that the incident you reported does not merit review. There were multiple serious injuries and a death. There is a risk of future occurrences. However, the WSP is conducting a broad internal investigation into the incident. Also, the recent legislation is intended to result in a model pursuit policy and associated training. This legislative activity is similar to what a review team would be undertaking. Therefore, no further review is warranted at this time.

This decision will be posted on the OFM website. If you have any questions about the criteria or its application to this incident, please contact either Roselyn Marcus at (360) 902-7396 or Gary Robinson at (360) 902-0528.

cc: Barbara Wiehrl, Washington State Patrol
Roselyn Marcus, Case Management Coordinator, OFM